

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ARTHUR JACKSON, III : **NO. 02-3230**
V. : **CIVIL ACTION**
DELAWARE COUNTY ET AL : **JURY TRIAL REQUESTED**

**CERTIFICATE OF COMPLIANCE WITH COURT'S DIRECTIVE TO CERTIFY
THAT ALL RECORDS IN THE POSSESSION OF THE DEFENDANTS RELATING TO
ARTHUR JACKSON HAVE BEEN PRODUCED**

Defendants, by and through their attorneys, Robert M. DiOrio, Esquire and Kathleen E. Mahoney, Esquire, hereby file this Certificate of Compliance that all records in the possession of the Defendants relating to Arthur Jackson have been produced and in support thereof avers as follows:

1. Defendants have previously produced to Plaintiff through the discovery process the following records pertaining to Plaintiff Arthur Jackson:

- a. Arthur Jackson's inmate criminal file;
- b. Arthur Jackson's inmate intake file;
- c. Arthur Jackson's inmate medical records;
- d. All incident reports and witness statements regarding Plaintiff's fall on May 28, 2000;
- e. Defendants' insurance declaration sheet; and
- f. Arthur Jackson's Medication Administration Records.

2. Following the hearing held before the Honorable Michael M. Baylson on October 1, 2003, Ms. Mahoney contacted Robert Burgwald, records custodian of the George W. Hill Correctional Facility, to confirm that she was in possession of all records pertaining to Arthur Jackson.

3. Ms. Mahoney met with Mr. Burgwald in her offices on October 10, 2003, at which time she reviewed copies of all records pertaining to Arthur Jackson which were in the possession Mr. Burgwald. She confirmed that all records pertaining to Arthur Jackson were previously supplied to her firm and all non-privileged and discoverable documents were produced to Plaintiff's counsel.

4. Plaintiff's counsel specifically requested information regarding Arthur Jackson's intake records for each weekend of his incarceration. Ms. Mahoney confirmed with Deputy Warden Frank Green that intake records are maintained for weekend inmates. Mr. Burgwald confirmed that while intake records of weekend inmates are typically maintained at the prison, the intake records pertaining to Arthur Jackson have not been located to date.

5. As such, Defendants have produced all records relating to Arthur Jackson which have been located. Should additional records be located in the future, they will be produced as well.

Respectfully submitted:

DIORIO AND SERENI, LLP

Date: _____

BY: _____

ROBERT M. DIORIO
I.D. No.: 17838

KATHLEEN E. MAHONEY
I.D. No.: 77873
Front & Plum Streets
Media, Pa. 19063
(610) 565-5700
Attorneys for Defendants

CERTIFICATE OF SERVICE

We, Robert M. DiOrio, Esquire, and Kathleen E. Mahoney, Esquire hereby certify that a true and correct copy of the foregoing Certificate of Compliance was served on the date below by first class, U.S. mail, postage pre-paid, and facsimile upon the following:

Derrick Howard, Esquire
John Rollins, Esquire
HOWARD ROLLINS, LLC
1319 South Broad Street
Philadelphia, PA 19147
(Facsimile 610-941-8133)

David F. White, Esquire
Dennis Herbert, Esquire
KELLY, McLAUGHLIN, & FOSTER
620 W. Germantown Pike
Suite 350
Plymouth Meeting, PA 19462
(Facsimile 215-334-7445)

ROBERT M. DIORIO, ESQUIRE
Pa I.D. No. 17838
KATHLEEN E. MAHONEY
Pa I.D. No. 77873
DiOrio & Sereni, L.L.P.
Front & Plum Streets
P.O. Box 1789
Media, PA 19063
(610) 565-5700
(610) 891-0652 (fax)

Date: _____

VERIFICATION

I, Kathleen E. Mahoney, in the foregoing pleading, verify that the facts set forth therein are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

KATHLEEN E. MAHONEY

Dated: _____